

FILED

NOV 23 2021

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY _____ DEPUTY

VANCE DOTSON as assignee of
TERRELL ENGMANN
Plaintiff,

v.

ENHANCED RECOVERY COMPANY,
LLC., and VANCE AND HUFFMAN,
LLC., and NATIONAL CREDIT
ADJUSTERS, LLC.,
Defendant.

) JURY TRIAL DEMANDED
)

) **CIV 21 1110**
)

) Case No.
)

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COMPLAINT AND DEMAND FOR JURY TRIAL

I. INTRODUCTION

1. This is an action for actual and statutory damages brought by Plaintiff, Terrell Engmann, an individual consumer, against Defendant, Enhanced Recovery Company, LLC., ("ERC"), Defendant, Vance and Huffman, LLC., ("VH"), Defendant, National Credit Adjusters, LLC., ("NCA") for violations of the Fair Debt Collection Practices Act, 15 U.S.C § 1692 *et seq.* (hereinafter "FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

II. JURISDICTION AND VENUE

2. Jurisdiction of this court arises under 15 U.S.C § 1692k(d) 28 U.S.C 1331. Venue in this District is proper in that the Defendants transact business in Oklahoma City, Oklahoma County, Oklahoma, and the conduct complained of occurred in Oklahoma City, Oklahoma County, Oklahoma.

III. PARTIES

3. Plaintiff Terrell Engmann (hereinafter "Mr. Engmann") is a natural person residing in Oklahoma City, Oklahoma County, Oklahoma. Mr. Engmann is a consumer as defined by the Fair Debt Collection Practices Act, 15 U.S.C. §1692a(3).
4. Party Vance Dotson (hereinafter "Mr. Dotson") is a natural person residing in Oklahoma City, Oklahoma County, Oklahoma. Mr. Dotson has been assigned 100 percent of these claim(s) above also is Attorney-In-Fact pursuant to Okla. Stat. tit. 15, § 1014.
5. Upon information and belief, Defendant Enhanced Recovery Company, LLC., is a Florida corporation with its principal place of business located at 8014 Bayberry Rd, Jacksonville, FL 32256.

6. Upon information and belief, Defendant National Credit Adjusters, LLC., is a Kansas corporation with its principal place of business located at 327 W 4th Ave, Hutchinson, KS 67501.
7. Upon information and belief, Defendant Vance and Huffman, LLC., is a Virginia corporation with its principal place of business located at 55 Monette Pkwy Suite 100, Smithfield, VA 23430.
8. Defendant Enhanced Recovery Company, LLC., National Credit Adjusters, LLC., Vance and Huffman, LLC., is engaged in the collection of debt from consumers using the mail and telephone. Defendant regularly attempts to collect consumers' debts alleged to be due to others.

IV. FACTS OF THE COMPLAINT

9. Defendant, Enhanced Recovery Company, LLC., National Credit Adjusters, LLC., Vance and Huffman, LLC., (hereinafter referred to as "Debt Collector") is a "debt collector" as defined by the FDCPA, 15 U.S.C 1692a(6).
10. On or about August 24, 2021, Mr. Engmann reviewed his credit report on "credit karma."
11. On the report, Mr. Engmann observed a trade line from Debt Collector.

12. Debt Collector (Enhanced Recovery Company, LLC,) furnished a trade line of \$444, allegedly owned to AT&T.
13. Debt Collector (National Credit Adjusters, LLC,) furnished a trade line of \$491, allegedly owned to The Cash Store.
14. Debt Collector (Vance and Huffman, LLC,) furnished a trade line of \$570, allegedly owned to Regional Finance Corporation.
15. Also on August 24, 2021, Plaintiff made a dispute via telephone, however on November 23, 2021 Plaintiff re-checked his credit reports and Debt Collector has had several communications with the consumer reporting agencies and Debt Collector failed to communicate that the debt was disputed by Plaintiff.
16. Debt Collector's publishing of such inaccurate and incomplete information has severely damaged the personal and credit reputation of Mr. Engmann and caused severe humiliation, emotional distress, mental anguish and damage to his FICO scores.

V. FIRST CLAIM FOR RELIEF

**(Defendant Enhanced Recovery Company, LLC., National Credit Adjusters, LLC., Vance and Huffman, LLC.,)
15 U.S.C. §1692e(8)**

17. Mr. Engmann re-alleges and reincorporates all previous paragraphs as if fully set out herein.

18. The Debt Collector violated the FDCPA.
19. The Debt Collector's violations include, but are not limited to, the following:
 - (a) The Debt Collector violated 15 U.S.C § 1692e(8) of the FDCPA by failing to disclose to the consumer reporting agencies that the alleged debt was in dispute by Mr. Engmann.
20. As a result of the above violations of the FDCPA, the Defendants are liable to the Mr. Engmann actual damages, statutory damages and costs.

VI. JURY DEMAND AND PRAYER FOR RELIEF

WHEREFORE, Plaintiff Terrell Engamnn respectfully demands a jury trial and requests that judgment be entered in favor of Plaintiff and against the Debt Collector for:

- A. Judgment for the violations occurred for violating the FDCPA;
- B. Actual damages pursuant to 15 U.S.C 1692k(1)(2);
- C. Statutory damages pursuant to 15 U.S.C 1692k(2);
- D. Cost pursuant to 15 U.S.C 1692k(3);
- E. For such other and further relief as the Court may deem just and proper.

A handwritten signature in blue ink, reading "Terrell Engmann", is written over a horizontal line.

Terrell Engmann

Vance Dotson

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